

ESTTA Tracking number: **ESTTA98754**

Filing date: **09/11/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	eBay Inc.
Granted to Date of previous extension	09/10/2006
Address	2145 Hamilton Avenue San Jose,, CA 95125 UNITED STATES
Attorney information	Kristin K. Manley Cooley Godward LLP 101 California Street, 5th Floor San Francisco, CA 94111-5800 UNITED STATES trademarks@cooley.com, kmanley@cooley.com, jrosenthal@cooley.com Phone:415-693-2000

Applicant Information

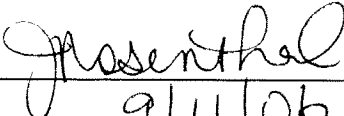
Application No	78636498	Publication date	03/14/2006
Opposition Filing Date	09/11/2006	Opposition Period Ends	09/10/2006
Applicant	fonemine, Inc. 924 Borregas Avenue Sunnyvale, CA 94089 UNITED STATES		

Goods/Services Affected by Opposition

Class 042. All goods and sevicees in the class are opposed, namely: Software design services for data transmission on telecommunications networks of others; technical support services, namely, troubleshooting of software problems when using telecommunications networks of others

Attachments	Notice of Opposition FoneBay with Exhibits.pdf (61 pages)(845715 bytes)
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Signature	/KristinManley/
Name	Kristin K. Manley
Date	09/11/2006

Certificate of Transmission	
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of application Serial No. 78/636,498
For the Trademark FONEBAY
Published in the Official Gazette
on March 14, 2006

EBAY INC.,)	
)	
Opposer,)	
)	Opposition No.
v.)	
)	
FONEMINE INC.)	
)	
Applicant.)	
<hr style="border: 0.5px solid black;"/>		

NOTICE OF OPPOSITION

Opposer eBay Inc. (“eBay”), a Delaware corporation having its principal place of business at 2145 Hamilton Avenue, San Jose, California 95125, believes that it will be damaged by the issuance of a registration for the mark FONEBAY, in Application Serial No. 78/636,498,

filed May 24, 2005 by Applicant fonemine Inc. ("Applicant"). Having been granted an extension of time to oppose until September 10, 2006, eBay hereby opposes Applicant's application, pursuant to Section 13 of the United States Trademark Act, as amended, 15 U.S.C. §1063.

As grounds for opposition, eBay alleges that:

1. eBay is the world's leading on-line marketplace. eBay currently has over 200 million registered users and hosts an on-line service featuring over 100 million items offered for sale or bid on its Web site at www.ebay.com at any given time. In July 2006 alone, over 6 million new items were listed for sale each day in over 50,000 different categories of goods and services, ranging from telecommunications equipment to computers to collectibles to cars to jewelry.

2. As one aspect of its on-line trading services, the eBay Web site has maintained a trading category for "Cell Phones" to promote the sale of such products. Within this category, eBay maintains specific sub-categories to promote the sale of "Accessories, Parts," "Phones Only," "Phones with New Plan Purchase," "Prepaid Phones & Cards," "Wholesale & Large Lots," and numerous other phone-related sub-categories. A copy of the eBay Web page displaying this Cell Phones category is attached hereto as Exhibit A.

3. As of August 2006, eBay's Cell Phones category contained over 2.5 million new listings in the cell phone and cell phone related categories. Printouts of the first three (3) pages from the "Categories within Cell Phones" portion of the eBay Web site are attached hereto as Exhibit B.

4. Since its on-line marketplace was launched in September 1995, eBay has continuously used the mark EBAY in interstate commerce in the United States in connection with its goods and services.

5. eBay is the owner of numerous U.S. registrations for the mark EBAY (in word form and in design form), the earliest of which was issued on January 19, 1999, and which has obtained incontestable status under 15 U.S.C. § 1065. These registrations cover various goods and services. Each of these registrations is valid, subsisting and has not been abandoned by eBay. These registrations include the following (copies of the eBay registrations cited herein are attached hereto as Exhibit C):

- EBAY word mark (Registration No. 2,218,732) registered January 19, 1999 in International Class 35.
- EBAY word mark (Registration No. 2,367,932) registered July 18, 2000 in International Class 28.
- EBAY and Design (Registration No. 2,367,895) registered July 18, 2000 in International Class 28.
- EBAY and Design (claiming color) (Registration No. 2,410,023) registered December 5, 2000 in International Class 35.
- EBAY and Design (Registration No. 2,420,512) registered January 16, 2001 in International Class 35.
- EBAY and Design (Registration No. 2,468,781) registered July 17, 2001 in International Class 9.
- EBAY word mark (Registration No. 2,501,043) registered October 23, 2001 in International Class 14.
- EBAY word mark (Registration No. 2,518,652) registered December 11, 2001 in International Class 25.
- EBAY word mark (Registration No. 2,522,630) registered December 25, 2001 in International Class 20.
- EBAY and Design (Registration No. 2,522,632) registered December 25, 2001 in International Class 20.
- EBAY and Design (claiming color) (Registration No. 2,526,027) registered January 1, 2002 in International Class 25.

- EBAY and Design (Registration No. 2,553,773) registered March 26, 2002 in International Class 14.
- EBAY word mark (Registration No. 2,578,260) registered June 11, 2002 in International Class 18.
- EBAY and Design (Registration No. 2,578,259) registered June 11, 2002 in International Class 18.
- EBAY and Design (Registration No. 2,583,312) registered June 18, 2002 in International Class 28.
- EBAY word mark (Registration No. 2,592,515) registered July 9, 2002 in International Class 38.
- EBAY and Design (Registration No. 2,592,514) registered July 9, 2002 in International Class 38.
- EBAY word mark (Registration No. 2,604,374) registered August 6, 2002 in International Class 21.
- EBAY and Design (Registration No. 2,604,375) registered August 6, 2002 in International Class 21.
- EBAY and Design (Registration No. 2,662,118) registered December 17, 2002 in International Class 28.
- EBAY word mark (Registration No. 2,662,130) registered December 17, 2002 in International Class 28.
- EBAY word mark (Registration No. 2,666,767) registered December 24, 2002 in International Class 25.
- EBAY and Design (Registration No. 2,672,470) registered January 7, 2003 in International Class 25.
- EBAY word mark (Registration No. 2,700,675) registered March 25, 2003 in International Class 9.
- EBAY word mark (Registration No. 2,700,836) registered, March 25, 2003 in International Class 16.
- EBAY and Design (Registration No. 2,729,649) registered June 24, 2003 in International Class 16.
- EBAY and Design (Registration No. 2,735,542) registered July 8, 2003 in International Class 38.
- EBAY word mark (Registration No. 2,737,342) registered July 15, 2003 in International Class 28.
- EBAY word mark (Registration No. 2,744,717) registered July 29, 2003 in International Class 38.

- EBAY and Design (Registration No. 2,759,145) registered September 2, 2003 in International Class 14 (jewelry).
- EBAY and Design (Registration No. 2,759,146) registered September 2, 2003 in International Class 9.
- EBAY word mark (Registration No. 2,759,150) registered September 2, 2003 in International Class 9.
- EBAY word mark (Registration No. 2,791,591) registered December 9, 2003 in International Class 14.
- EBAY word mark (Registration No. 2,810,863) registered February 3, 2004 in International Class 16.
- EBAY and Design (Registration No. 2,840,471) registered May 11, 2004 in International Class 16.
- EBAY and Design (Registration No. 2,840,569) registered May 11, 2004 in International Class 41.
- EBAY and Design (Registration No. 2,840,738) registered May 11, 2004 in International Class 30.
- EBAY word mark (Registration No. 2,847,996) registered June 1, 2004 in International Class 30.
- EBAY word mark (Registration No. 2,913,352) registered December 21, 2004 in International Class 6.
- EBAY word mark (Registration No. 2,913,401) registered December 21, 2004 in International Class 41.
- EBAY and Design (Registration No. 2,913,355) Registered December 21, 2004 in International Class 6.
- EBAY word mark (Registration No. 2,926,481) registered February 15, 2005 in International Class 41.

6. eBay also has common law rights in its EBAY and EBAY and Design marks, and uses these marks in connection with a wide variety of goods and services, including, as described above, phone-related goods and services.

7. In addition, eBay owns a number of U.S. registrations and pending U.S. applications to register marks that incorporate the EBAY or EBAY and Design marks, including the marks EBAY LIVE! (Application Nos. 78/358,677, 78/350,421, 78/339,332, and 78/339,379), EBAY POWER SELLERS & Design (Registration No. 2,514,362); EBAY

PREMIER & Design (Registration No. 2,555,505); and EBAY.COM (Registration No. 2,700,834). All of eBay's marks that consist of or incorporate the term EBAY will hereafter be referred to as the "EBAY Marks."

8. EBAY is a fanciful mark, and thus highly distinctive. The term "bay" has no descriptive meaning as applied to trading or on-line auction services, the Internet, on-line commerce, e-commerce software, or any of the numerous goods promoted under the EBAY Marks – including phone-related goods and services – and is thus arbitrary and highly distinctive of eBay's goods and services.

9. eBay has expended considerable effort and expense in promoting the EBAY Marks, and goods and services offered in connection with these marks, both in the United States and internationally. eBay has advertised extensively on the Internet, in print, on the radio, and on television. For example, according to *eMarketer*, a trade publication, eBay spent \$76 million in the first half of 2003 on Internet advertising alone. By the end of 2003, and as reported in eBay's form 10-K filed with the United States Securities and Exchange Commission for that year, eBay had expended \$321.4 million in advertising.

10. In addition to its own advertising efforts, eBay has been the subject of thousands of unsolicited articles in television, radio, and print media, highlighting eBay's innovative and successful efforts in on-line person-to-person trading. eBay has also received numerous awards and recognitions, including a listing in *BusinessWeek's* "The Global Brand Scoreboard's The Top 100 Brands" – ranking eBay's brand as 60th, 55th and 47th strongest brand in the world – in August 2004, August 2005, and August 2006 respectively; *Fortune* magazine's "Top 100 Fastest Growing Companies" (ranking eBay as 8th) in August 2003; *BusinessWeek Online*, "The eBay Economy" in August 2003; *Red Herring* magazine's "The Top 100 Companies Most Likely to

Change the World” in May 2001; Harvard Business School’s “Entrepreneurial Company of the Year” in May 2000; *Forbes* magazine’s “Favorite Auction Site” in December 1999; *Business Week* magazine’s “Info Tech 100” in July 1999; *Ad Week* magazine’s “Top Marketers of the Year” in May 1999; and The Webby Award’s “Top E-Commerce Site” in March 1999.

11. The enthusiasm for eBay’s services abroad has been so overwhelming that eBay maintains separate, country-specific Web sites for Australia, Austria, Belgium, Canada, China, France, Germany, Hong Kong, India, Ireland, Italy, Malaysia, Netherlands, New Zealand, Philippines, Poland, Singapore, Spain, Sweden, Switzerland, Taiwan, and the United Kingdom, and it has related Web sites in Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Peru, Uruguay, Venezuela, and Korea. eBay’s services are not limited to these foreign countries, however, as eBay serves customers in many other countries as well.

12. As a result of eBay’s widespread use of the EBAY Marks worldwide, extensive Internet, television, and print advertising and promotion, continuous and unsolicited media coverage, the high degree of consumer recognition of the EBAY Marks, the strong and loyal base of customers that eBay enjoys for its services, and the absence of any material use of any highly similar mark by others, among other factors, the EBAY Marks are famous within the meaning of Section 43(c) of the United States Trademark Act, 15 U.S.C. §1125(c).

13. By the application herein opposed, Applicant seeks to register the word mark FONEBAY (“Applicant’s Mark”) in connection with “[s]oftware design services for data transmission on telecommunications networks of others; technical support services, namely, troubleshooting of software problems when using telecommunications networks of others” in Class 42.

14. As noted above, eBay owns registered trademark in International Class 42 for the EBAY POWER SELLERS mark.

15. The mark Applicant proposes to register, FONEBAY, is substantially similar to the EBAY Marks. The term “fone” is highly descriptive or generic of Applicant’s services (e.g., software design services for data transmission on telecommunications networks of others; technical support services, namely, troubleshooting of software problems when using telecommunications networks of others), and thus does little to create a unique commercial impression. On the other hand, the term “bay” is the most distinctive part of the EBAY Marks, and is completely arbitrary as applied to Applicant’s services. Thus, the only conceivable reason to incorporate “bay” into Applicant’s Mark is that Applicant intends to call to mind the EBAY Marks.

16. Based on the similarities between the EBAY Marks, which are famous, and Applicant’s Mark, it is apparent that Applicant intends to call to mind the EBAY Marks.

17. There is no issue as to priority of use. eBay began using its EBAY mark, and enjoys priority as a result of the filing dates of its trademark registrations, well prior both to Applicant’s filing date of May 24, 2005.

**FIRST GROUND FOR OPPOSITION:
LIKELIHOOD OF CONFUSION**

18. eBay incorporates by reference paragraphs 1 through 17, inclusive, as if fully set forth here.

19. The mark Applicant proposes to register, FONEBAY, is highly similar to the EBAY Marks in appearance, sound, meaning, and commercial impression, because it incorporates the most distinctive part of the EBAY Marks, “bay.” Moreover, when spoken aloud, Applicant’s Mark, FONEBAY, connotes the famous eBay mark, EBAY, further

emphasizing the similarity between Applicant's Mark and the EBAY Marks. Finally, the FONEBAY mark also incorporates the entire EBAY mark, which creates the impression that Applicant provides telephone- and telecommunication-related eBay services (i.e. that Applicant and/or its services are a "Fone eBay.").

20. The services offered by each party are closely related. According to the identification of services in the application, Applicant intends to use the FONEBAY mark in connection with software design services for data transmission on telecommunications networks of others; technical support services, namely, troubleshooting of software problems when using telecommunications networks of others. eBay similarly uses the EBAY Marks in connection with telecommunications goods and services.

21. Upon information and belief, Applicant chose its mark FONEBAY with knowledge of, and the intent to call to mind or create a likelihood of confusion with regard to, the eBay Web site and the EBAY Marks.

22. Registration of Applicant's Mark will injure eBay by causing the public to be confused or mistaken into believing that the services provided by Applicant are endorsed or sponsored by eBay. eBay has no control over the nature and quality of the services offered by Applicant under the FONEBAY mark, and eBay's reputation and goodwill will be damaged and the value of the EBAY Marks jeopardized, all to eBay's damage. Further, any defect, objection or fault found with Applicant's services marketed under the FONEBAY name would necessarily reflect upon and seriously injure the reputation that eBay has established for the goods and services it offers in connection with the EBAY Marks.

23. Accordingly, registration of the mark herein opposed will damage eBay because Applicant's Mark is likely, when used on or in connection with the services described in the

opposed application, to cause confusion, or to cause mistake or to deceive. Thus Applicant's Mark is unregistrable under Sections 2(d) and 3 of the United States Trademark Act, as amended, 15 U.S.C. §§1052 and 1053, and should be refused registration.

**SECOND GROUND FOR OPPOSITION:
DILUTION OF A FAMOUS MARK**

24. eBay incorporates by reference paragraphs 1 through 24, inclusive, as if fully set forth here.

25. Applicant seeks to use the mark FONEBAY in commerce, as stated in the application herein opposed.

26. EBAY is a fanciful mark and is thus highly distinctive of eBay's goods and services.

27. eBay has used the EBAY Marks since at least September 1995 for on-line trading services, and has expanded use of the EBAY Marks to many other goods and services, as alleged.

28. eBay has advertised and promoted the EBAY Marks through extensive Internet, radio, television, and print advertising and promotion. eBay and the EBAY Marks have enjoyed extensive media attention.

29. eBay has used the EBAY Marks throughout the United States and many places around the world, via the global Internet.

30. As a result of the considerable publicity afforded the EBAY Marks, and the strong and loyal base of customers that eBay enjoys for its goods and services, the EBAY Marks have a high degree of consumer recognition.

31. Apart from unauthorized infringing uses of such marks, which eBay actively and diligently polices through its enforcement program, there is no material use of any highly similar mark by others.

32. Accordingly, when the public encounters the term EBAY, it immediately associates the term with eBay, and thus the EBAY Marks are famous.

33. The EBAY Marks became famous before Applicant filed its application for FONEBAY on May 24, 2005.

34. The mark Applicant proposes to register, FONEBAY, incorporates the most distinctive part of the EBAY Marks, “bay,” as well as the entire EBAY mark, and its intended use will cause dilution of the famous EBAY Marks. If Applicant and others are permitted to register marks similar to the EBAY Marks, the proliferation of such marks will blur and weaken the connection in consumers’ minds between the EBAY Marks and eBay’s goods and services.

35. Accordingly, registration of the mark herein opposed will further damage eBay by continuing to cause dilution of the distinctive quality of eBay’s famous EBAY Marks. Thus Applicant’s Mark is unregistrable pursuant to Sections 2(a)(d), 3, 13, and 43(c) of the United States Trademark Act, as amended, 15 U.S.C. §§1052(a)(d), 1053, 1063, 1125, and should be refused registration.

36. Wherefore, eBay prays that this Opposition be sustained, and that Application Serial No. 78/636,498 be refused.

Please recognize the following as attorneys for eBay in this proceeding: Britt L. Anderson, Adam Barea, Keith J. Berets, Susan D. Berney-Key, Todd S. Bontemps, John W. Crittenden, Janet L. Cullum, Franklin B. Goldberg, Andrew Hartman, Lisa K. Koenig, Kristin K. Manley, Anne H. Peck, Gretchen R. Stroud, and Peter J. Willsey (members of the Bar of the

States of California, Colorado, Illinois or Virginia), and the firm of Cooley Godward LLP, 101 California Street, 5th Floor, San Francisco, California 94111.

Please address all communications to Kristin K. Manley at the address below.

In accordance with 37 C.F.R. §§ 2.101 and 2.104, a duplicate copy of this Notice of Opposition and the fee of \$300.00 for one International Class are submitted herewith.

Respectfully submitted,
COOLEY GODWARD LLP

Date: 9/11/04

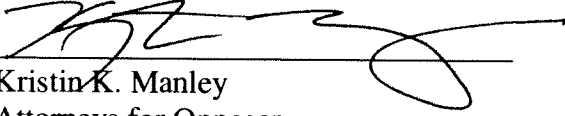
By: 
Kristin K. Manley
Attorneys for Opposer
101 California Street, 5th Floor
San Francisco, California 94111
(415) 693-2072

EXHIBIT A /



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EXHIBIT B

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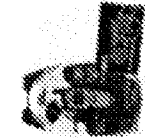
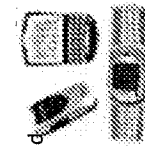
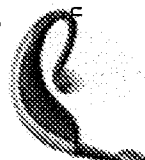
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eBay is the leading place to buy and sell cell phones and cell phone accessories. Whether you are looking for a brand new cell phone, a used phone, or a new phone with a new cellular plan - eBay has deals on top brands like Motorola, Nokia, Nextel, RIM BlackBerry, Samsung, Sanyo, Siemens, Sony Ericsson, T-Mobile and others. eBay has it all whether you're looking for a camera phone, PDA phone, smart phone, GSM phone, video phone, blue tooth phone, unlocked cell phone, prepaid cell phone, or even a GPS phone - you can find it in the eBay Cell Phone category. Upgrade your phone by selling your current one and replacing it with today's hottest cell phones such as: Motorola RAZR v3, RIM BlackBerry 7100t, Palm Treo 650, Nokia 6600, T-Mobile Sidekick 2, Motorola e815, Nextel i850.

Samsung d500, Sony Ericsson k750i, LG vx 8100, and other phones compatible with AT&T, Cingular Wireless, Nextel, Sprint PCS, T-Mobile, Verizon Wireless, Alltel and other services. Upgrade your phone with the latest cell phone accessory! Add a blue tooth headset, faceplate or cell phone case, glowing antenna, ring tones, belt clip, keypads, battery charger, car charger and other cell phone accessories to enhance or customize your cell phone.

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EXHIBIT C /

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,218,732

Registered Jan. 19, 1999

**SERVICE MARK
PRINCIPAL REGISTER**

EBAY

**EBAY INC. (CALIFORNIA CORPORATION)
2005 HAMILTON AVENUE, SUITE 350
SAN JOSE, CA 95125**

**FOR: ON-LINE TRADING SERVICES IN
WHICH SELLER POSTS ITEMS TO BE AUC-
TIONED AND BIDDING IS DONE ELECTRON-
ICALLY, AND PROVIDING EVALUATIVE
FEEDBACK AND RATINGS OF SELLERS'
GOODS AND SERVICES, THE VALUE AND
PRICES OF SELLERS' GOODS, BUYERS' AND**

**SELLERS' PERFORMANCE, DELIVERY, AND
OVERALL TRADING EXPERIENCE IN CON-
NECTION THEREWITH, IN CLASS 35 (U.S.
CLS. 100, 101 AND 102).**

**FIRST USE 9-4-1995; IN COMMERCE
9-4-1995.**

SER. NO. 75-391,661, FILED 11-17-1997.

LORI STOCKTON, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

Reg. No. 2,367,932

United States Patent and Trademark Office

Registered July 18, 2000

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2125 E. HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: CHRISTMAS TREE ORNAMENTS AND
SOFT SCULPTURE TOYS, IN CLASS 28 (U.S. CLS.
22, 23, 38 AND 50).

FIRST USE 12-15-1998; IN COMMERCE
12-15-1998.

OWNER OF U.S. REG. NO. 2,218,732.

SER. NO. 75-621,219, FILED 1-13-1999.

ANTHONY MERCALDI, EXAMINING ATTORNEY

Int. Cl.: 28

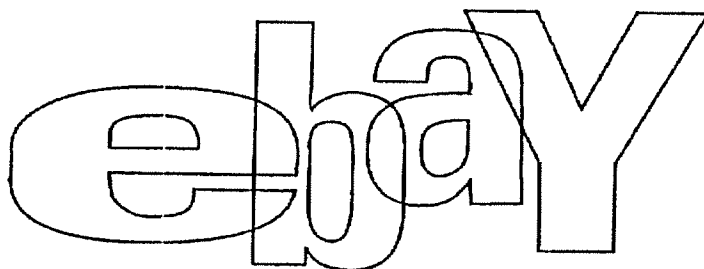
Prior U.S. Cls.: 22, 23, 38 and 50

United States Patent and Trademark Office

Reg. No. 2,367,895

Registered July 18, 2000

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: CHRISTMAS TREE ORNAMENTS AND
SOFT SCULPTURE TOYS, IN CLASS 28 (U.S. CLS.
22, 23, 38 AND 50).

FIRST USE 12-15-1998; IN COMMERCE
12-15-1998.
OWNER OF U.S. REG. NO. 2,218,732.

SER. NO. 75-613,531, FILED 12-30-1998.

ANTHONY MERCALDI, EXAMINING ATTORNEY

Int. Cl.: 35

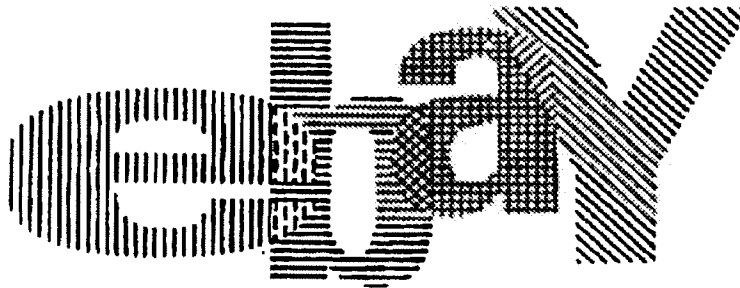
Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,410,023

Registered Dec. 5, 2000

**SERVICE MARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: ON-LINE TRADING SERVICES TO FACILITATE THE SALE OF GOODS BY OTHERS VIA A COMPUTER NETWORK AND PROVIDING EVALUATIVE FEEDBACK AND RATINGS OF SELLERS' GOODS AND SERVICES, THE VALUE AND PRICES OF SELLERS' GOODS, BUYERS' AND SELLERS' PERFORMANCE, DELIVERY, AND OVERALL

TRADING EXPERIENCE IN CONNECTION THEREWITH, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).
FIRST USE 1-15-1998; IN COMMERCE 1-15-1998.
OWNER OF U.S. REG. NO. 2,218,732.

THE MARK IS LINED FOR RED, BLUE, YELLOW, GREEN, PURPLE, ORANGE AND BROWN.

SER. NO. 75-669,553, FILED 3-29-1999.

ANTHONY MERCALDI, EXAMINING ATTORNEY

Int. Cl.: 35

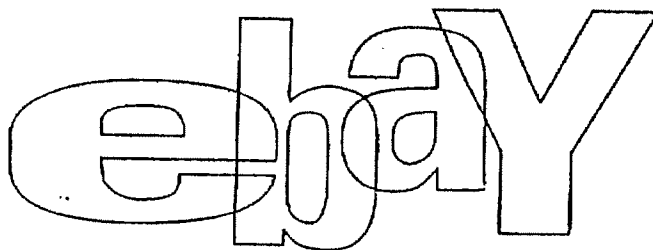
Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,420,512

Registered Jan. 16, 2001

**SERVICE MARK
PRINCIPAL REGISTER**



**EBAY, INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125**

FOR: ON-LINE TRADING SERVICES TO FACILITATE THE SALE OF GOODS BY OTHERS VIA A COMPUTER NETWORK AND PROVIDING EVALUATIVE FEEDBACK AND RATINGS OF SELLERS' GOODS AND SERVICES, THE VALUE AND PRICES OF SELLERS' GOODS, BUYERS' AND SELLERS'

PERFORMANCE, DELIVERY, AND OVERALL TRADING EXPERIENCE IN CONNECTION THEREWITH, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

**FIRST USE 1-15-1998; IN COMMERCE 1-15-1998.
OWNER OF U.S. REG. NO. 2,218,732.**

SER. NO. 75-587,191, FILED 11-12-1998.

ANTHONY MERCALDI, EXAMINING ATTORNEY

Int. Cl.: 9

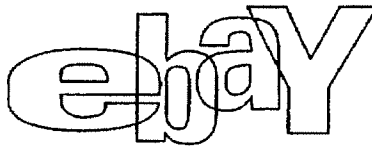
Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 2,468,781

Registered July 17, 2001

**TRADEMARK
PRINCIPAL REGISTER**



**EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125**

**VARIETY OF PRODUCTS, IN CLASS 9 (U.S. CLS. 21,
23, 26, 36 AND 38).**

**FOR: COMPUTER E-COMMERCE SOFTWARE
TO ALLOW USERS TO PERFORM ELECTRONIC
BUSINESS TRANSACTIONS CONDUCTED IN THE
FORM OF AN AUCTION VIA A GLOBAL COMPU-
TER NETWORK AND COMPUTER DATABASE
SOFTWARE FEATURING INFORMATION IN THE
FIELD OF HOBBIES, COLLECTIBLES AND A WIDE**

FIRST USE 9-0-1995; IN COMMERCE 9-0-1995.

OWNER OF U.S. REG. NO. 2,218,732.

SER. NO. 75-611,780, FILED 12-23-1998.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28, and 50

United States Patent and Trademark Office

Reg. No. 2,501,043

Registered Oct. 23, 2001

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

**EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125**

OWNER OF U.S. REG. NO. 2,218,732.

**FOR: CLOCKS AND WATCHES, IN CLASS 14 (U.S.
CLS. 2, 27, 28 AND 50).**

SN 75-981,055, FILED 1-13-1999.

FIRST USE 5-13-1998; IN COMMERCE 5-13-1998.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,518,652

Registered Dec. 11, 2001

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

**EBAY INC. (CALIFORNIA CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125**

FIRST USE 5-13-1998; IN COMMERCE 12-0-1998.

OWNER OF U.S. REG. NO. 2,218,732.

**FOR: CLOTHING, NAMELY, T-SHIRTS, CAPS
AND SWEATSHIRTS, IN CLASS 25 (U.S. CLS. 22
AND 39).**

SN 75-981,021, FILED 1-20-1999.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 20

Prior U.S. Cls.: 2, 13, 22, 25, 32 and 50

United States Patent and Trademark Office

Reg. No. 2,522,630

Registered Dec. 25, 2001

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

**EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125**

FIRST USE 7-0-2000; IN COMMERCE 7-0-2000.

SER. NO. 76-267,752, FILED 6-6-2001.

**FOR: PLASTIC KEY CHAIN TAGS AND PLASTIC
NOVELTY LICENSE PLATE FRAMES, IN CLASS 20
(U.S. CLS. 2, 13, 22, 25, 32 AND 50).**

ALICE BENMAMAN, EXAMINING ATTORNEY

Int. Cl.: 20

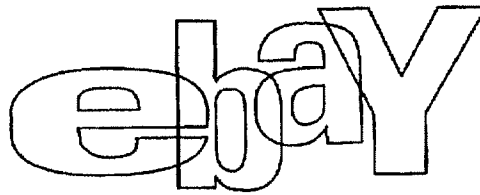
Prior U.S. Cls.: 2, 13, 22, 25, 32 and 50

United States Patent and Trademark Office

Reg. No. 2,522,632

Registered Dec. 25, 2001

**TRADEMARK
PRINCIPAL REGISTER**



**EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125**

FIRST USE 7-0-2000; IN COMMERCE 7-0-2000.

**FOR: PLASTIC KEY CHAIN TAGS AND PLASTIC
NOVELTY LICENSE PLATE FRAMES, IN CLASS 20
(U.S. CLS. 2, 13, 22, 25, 32 AND 50).**

SER. NO. 76-267,830, FILED 6-6-2001.

ALICE BENMAMAN, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,526,027

Registered Jan. 1, 2002

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: CLOTHING, NAMELY, T-SHIRTS, SWEAT-SHIRTS AND CAPS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 5-13-1998; IN COMMERCE 12-0-1998.

OWNER OF U.S. REG. NO. 2,218,732.

THE MARK IS LINED FOR THE COLORS RED, BLUE, YELLOW, GREEN, PURPLE, ORANGE AND BROWN BUT COLOR IS NOT CLAIMED AS PART OF THE MARK.

SN 75-981,102, FILED 1-20-1999.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 14

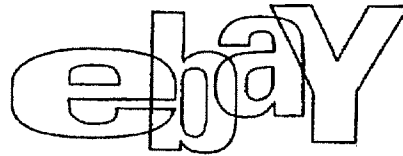
Prior U.S. Cls.: 2, 27, 28, and 50

United States Patent and Trademark Office

Reg. No. 2,553,773

Registered Mar. 26, 2002

**TRADEMARK
PRINCIPAL REGISTER**



**EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125**

**FOR: CLOCKS, WATCHES, IN CLASS 14 (U.S. CLS.
2, 27, 28 AND 50).**

FIRST USE 10-7-1999; IN COMMERCE 10-7-1999.

OWNER OF U.S. REG. NO. 2,218,732.

**THE MARK IS LINED FOR THE COLORS RED,
BLUE, YELLOW, GREEN, PURPLE, ORANGE AND
BROWN BUT COLOR IS NOT CLAIMED AS PART
OF THE MARK.**

SN 75-981,770, FILED 12-23-1998.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 18

Prior U.S. Cls.: 1, 2, 3, 22 and 41

United States Patent and Trademark Office

Reg. No. 2,578,260

Registered June 11, 2002

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 4-0-1999; IN COMMERCE 4-0-1999.

SER. NO. 76-271,424, FILED 6-12-2001.

FOR: DUFFEL BAGS, TOTE BAGS, BACKPACKS
AND BRIEFCASES, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22
AND 41).

ALICE BENMAMAN, EXAMINING ATTORNEY

Int. Cl.: 18

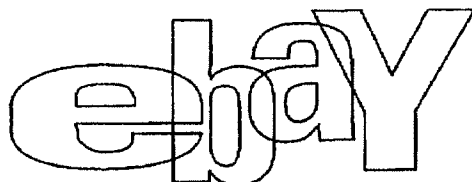
Prior U.S. Cls.: 1, 2, 3, 22 and 41

United States Patent and Trademark Office

Reg. No. 2,578,259

Registered June 11, 2002

**TRADEMARK
PRINCIPAL REGISTER**



**EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125**

FIRST USE 4-0-1999; IN COMMERCE 4-0-1999.

**FOR: DUFFEL BAGS, TOTE BAGS, BACKPACKS
AND BRIEFCASES, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22
AND 41).**

SER. NO. 76-271,420, FILED 6-12-2001.

ALICE BENMAMAN, EXAMINING ATTORNEY

Int. Cl.: 28

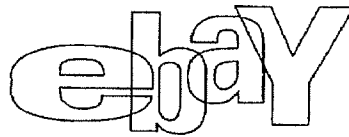
Prior U.S. Cls.: 22, 23, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,583,312

Registered June 18, 2002

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 12-0-1999; IN COMMERCE 12-0-1999.

SN 76-022,872, FILED 4-10-2000.

FOR: TOY MINIATURE CARS AND BEAN BAG
TOYS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 38

Prior U.S. Cls.: 100, 101, and 104

United States Patent and Trademark Office

Reg. No. 2,592,515

Registered July 9, 2002

**SERVICE MARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 5-15-1999; IN COMMERCE 5-15-1999.

FOR: TELECOMMUNICATIONS SERVICES,
NAMELY, THE ELECTRONIC TRANSMISSION OF
DATA AND INFORMATION; PAGING SERVICES,
IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

SN 76-022,871, FILED 4-10-2000.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 38

Prior U.S. Cls.: 100, 101, and 104

United States Patent and Trademark Office

Reg. No. 2,592,514

Registered July 9, 2002

**SERVICE MARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 5-15-1999; IN COMMERCE 5-15-1999.

FOR: TELECOMMUNICATIONS SERVICES,
NAMELY THE ELECTRONIC TRANSMISSION OF
DATA AND INFORMATION; PAGING SERVICES,
IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

SN 76-022,862, FILED 4-10-2000.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 21

Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50

United States Patent and Trademark Office

Reg. No. 2,604,374

Registered Aug. 6, 2002

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 4-0-1999; IN COMMERCE 4-0-1999.

FOR: MUGS, TUMBLERS, AND WATER BOT-
TLES SOLD EMPTY; CONTAINERS FOR FOOD OR
BEVERAGES, NAMELY, LUNCH CONTAINERS
MADE OF VINYL OR NYLON, IN CLASS 21 (U.S.
CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

SER. NO. 76-271,411, FILED 6-12-2001.

CHRISTOPHER ADKINS, EXAMINING ATTOR-
NEY

Int. Cl.: 21

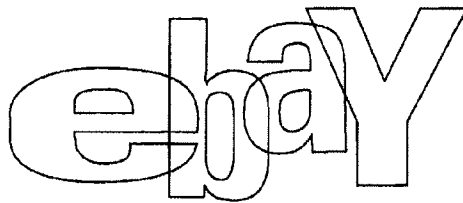
Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50

United States Patent and Trademark Office

Reg. No. 2,604,375

Registered Aug. 6, 2002

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 4-0-1999; IN COMMERCE 4-0-1999.

FOR: MUGS, TUMBLERS, AND WATER BOT-
TLES SOLD EMPTY; CONTAINERS FOR FOOD OR
BEVERAGES, NAMELY, LUNCH CONTAINERS
MADE OF VINYL OR NYLON, IN CLASS 21 (U.S.
CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

SER. NO. 76-271,577, FILED 6-12-2001.

CHRISTOPHER ADKINS, EXAMINING ATTOR-
NEY

Int. Cl.: 28

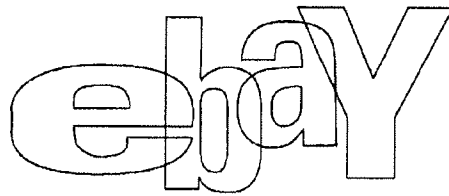
Prior U.S. Cls.: 22, 23, 38 and 50

United States Patent and Trademark Office

Reg. No. 2,662,118

Registered Dec. 17, 2002

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 12-0-1999; IN COMMERCE 12-0-1999.

SER. NO. 76-273,329, FILED 6-19-2001.

FOR: BOARD GAMES, IN CLASS 28 (U.S. CLS. 22,
23, 38 AND 50).

ALICE BENMAMAN, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

United States Patent and Trademark Office

Reg. No. 2,662,130

Registered Dec. 17, 2002

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 12-0-1999; IN COMMERCE 12-0-1999.

SER. NO. 76-275,682, FILED 6-19-2001.

FOR: BOARD GAMES, IN CLASS 28 (U.S. CLS. 22,
23, 38 AND 50).

ALICE BENMAMAN, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,666,767

Registered Dec. 24, 2002

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

OWNER OF U.S. REG. NO. 2,218,732.

FOR: CLOTHING, NAMELY, JACKETS, IN CLASS
25 (U.S. CLS. 22 AND 39).

SN 75-625,390, FILED 1-20-1999.

FIRST USE 11-28-2000; IN COMMERCE 11-28-2000.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 25

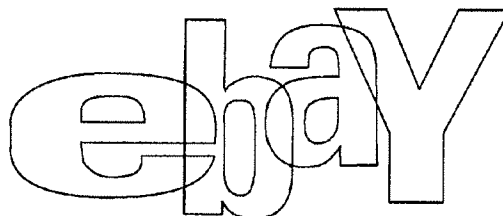
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,672,470

Registered Jan. 7, 2003

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (CALIFORNIA CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: CLOTHING, NAMELY, JACKETS AND VI-
SORS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 11-28-2000; IN COMMERCE 11-28-2000.

OWNER OF U.S. REG. NO. 2,218,732.

THE MARK IS LINED FOR THE COLORS RED,
BLUE, YELLOW, GREEN, PURPLE, ORANGE AND
BROWN BUT COLOR IS NOT CLAIMED AS PART
OF THE MARK.

SN 75-625,389, FILED 1-20-1999.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 2,700,675

Registered Mar. 25, 2003

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: COMPUTER E-COMMERCE SOFTWARE
TO ALLOW USERS TO PERFORM ELECTRONIC
BUSINESS TRANSACTIONS CONDUCTED IN THE
FORM OF AN AUCTION VIA A GLOBAL COMPU-
TER NETWORK AND COMPUTER DATABASE
SOFTWARE FEATURING INFORMATION IN THE
FIELD OF HOBBIES, COLLECTIBLES AND A WIDE

VARIETY OF PRODUCTS, IN CLASS 9 (U.S. CLS. 21,
23, 26, 36 AND 38).

FIRST USE 3-1-2001; IN COMMERCE 3-1-2001.

OWNER OF U.S. REG. NO. 2,218,732.

SN 75-620,479, FILED 1-13-1999.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,700,836

Registered Mar. 25, 2003

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: PUBLICATIONS, NAMELY, A SERIES OF NONFICTION BOOKS, CONCERNING HOBBIES, COLLECTIBLES, AUCTIONS, AND A WIDE VARIETY OF PRODUCTS RELATING TO ANTIQUES, ART LITERATURE, CULTURE, TECHNOLOGY, TRAVEL, SPORTS, ENTERTAINMENT, HOME FURNISHINGS, GARDEN ITEMS, MUSICAL INSTRUMENTS, MOTOR VEHICLES, TOYS AND GAMES, FASHION, JEWELRY, ELECTRONICS, PHOTOGRAPHY, HOLIDAY RELATED ITEMS,

FILM AND VIDEO; PAPER AND STATIONERY ITEMS, NAMELY, MEMO PADS, PAPER POSTCARDS, BUMPER STICKERS, CALENDARS, DECORATIVE STICKERS AND DECALS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 11-0-1999; IN COMMERCE 11-0-1999.

OWNER OF U.S. REG. NO. 2,218,732.

SN 75-983,141, FILED 1-13-1999.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 16

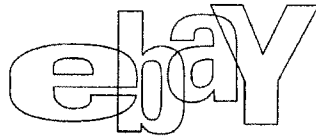
Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,729,649

Registered June 24, 2003

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: PUBLICATIONS, NAMELY, A SERIES OF NONFICTION BOOKS, CONCERNING HOBBIES, COLLECTIBLES, AUCTIONS, AND A WIDE VARIETY OF PRODUCTS RELATING TO ANTIQUES, ART, LITERATURE, CULTURE, TECHNOLOGY, TRAVEL, SPORTS, ENTERTAINMENT, HOME FURNISHINGS, GARDEN ITEMS, MUSICAL INSTRUMENTS, MOTOR VEHICLES, TOYS AND GAMES, FASHION, JEWELRY, ELECTRONICS, PHOTOGRAPHY, HOLIDAY RELATED ITEMS,

FILM AND VIDEO; PAPER AND STATIONERY ITEMS, NAMELY, MEMO PADS, PAPER POSTCARDS, BUMPER STICKERS, CALENDARS, DECORATIVE STICKERS AND DECALS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 11-0-1999; IN COMMERCE 11-0-1999.

OWNER OF U.S. REG. NO. 2,218,732.

SN 75-983,172, FILED 12-23-1998.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 38

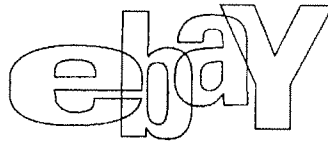
Prior U.S. Cls.: 100, 101, and 104

United States Patent and Trademark Office

Reg. No. 2,735,542

Registered July 8, 2003

**SERVICE MARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 5-0-1996; IN COMMERCE 5-0-1996.

FOR: PROVIDING AN ONLINE, INTERACTIVE
BULLETIN BOARD FOR THE TRANSMISSION OF
MESSAGES AMONG COMPUTER USERS CON-
CERNING HOBBIES, COLLECTIBLES, TRADING,
AND THE SALE OF ITEMS VIA A GLOBAL COM-
PUTER NETWORK, IN CLASS 38 (U.S. CLS. 100, 101
AND 104).

OWNER OF U.S. REG. NOS. 2,218,732, 2,367,895,
AND 2,367,932.

SN 76-975,311, FILED 4-10-2000.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,737,342

Registered July 15, 2003

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 12-0-1999; IN COMMERCE 12-0-1999.

SN 76-022,873, FILED 4-10-2000.

FOR: TOY MINIATURE CARS AND BEAN BAG
TOYS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 38

Prior U.S. Cls.: 100, 101, and 104

United States Patent and Trademark Office

Reg. No. 2,744,717

Registered July 29, 2003

**SERVICE MARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 5-0-1996; IN COMMERCE 5-0-1996.

FOR: PROVIDING AN ONLINE, INTERACTIVE
BULLETIN BOARD FOR THE TRANSMISSION OF
MESSAGES AMONG COMPUTER USERS CON-
CERNING HOBBIES, COLLECTIBLES, TRADING,
AND THE SALE OF ITEMS VIA A GLOBAL COM-
PUTER NETWORK, IN CLASS 38 (U.S. CLS. 100, 101
AND 104).

OWNER OF U.S. REG. NOS. 2,218,732, 2,367,895,
AND 2,367,932.

SN 76-975,318, FILED 4-10-2000.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 14

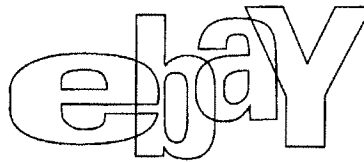
Prior U.S. Cls.: 2, 27, 28, and 50

United States Patent and Trademark Office

Reg. No. 2,759,145

Registered Sep. 2, 2003

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28
AND 50).

FIRST USE 5-14-2003; IN COMMERCE 5-14-2003.

OWNER OF U.S. REG. NO. 2,218,732.

THE MARK IS LINED FOR THE COLORS RED,
BLUE, YELLOW, GREEN, PURPLE, ORANGE AND
BROWN BUT COLOR IS NOT CLAIMED AS PART
OF THE MARK.

SN 75-611,249, FILED 12-23-1998.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 9

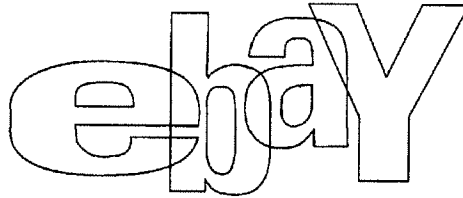
Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 2,759,146

Registered Sep. 2, 2003

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 2-20-2003; IN COMMERCE 2-20-2003.

OWNER OF U.S. REG. NO. 2,218,732.

FOR: CD ROMS AND COMPACT DISCS, FEATURING INFORMATION IN THE FIELDS OF HOBBIES, COLLECTING AND AUCTIONS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 75-611,252, FILED 12-23-1998.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 2,759,150

Registered Sep. 2, 2003

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 2-20-2003; IN COMMERCE 2-20-2003.

OWNER OF U.S. REG. NO. 2,218,732.

FOR: CD ROMS AND COMPACT DISCS FEATURING INFORMATION IN THE FIELDS OF HOBBIES, COLLECTING AND AUCTIONS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 75-620,646, FILED 1-13-1999.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28, and 50

United States Patent and Trademark Office

Reg. No. 2,791,591

Registered Dec. 9, 2003

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (CALIFORNIA CORPORATION)
2005 E. HAMILTON AVENUE
SUITE 350
SAN JOSE, CA 95125

FIRST USE 5-14-2003; IN COMMERCE 5-14-2003.

OWNER OF U.S. REG. NO. 2,218,732.

SN 75-620,501, FILED 1-13-1999.

FOR: JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28
AND 50).

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,810,863

Registered Feb. 3, 2004

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: PUBLICATIONS, NAMELY A SERIES OF NONFICTION BOOKS CONCERNING HOBBIES, COLLECTIBLES, AUCTIONS, AND A WIDE VARIETY OF PRODUCTS RELATING TO ANTIQUES, ART, LITERATURE, CULTURE, TECHNOLOGY, TRAVEL, SPORTS, ENTERTAINMENT, HOME FURNISHINGS, GARDEN ITEMS, MUSICAL INSTRUMENTS, MOTOR VEHICLES, TOYS AND GAMES, FASHION, JEWELRY, ELECTRONICS, PHOTOGRAPHY, HOLIDAY RELATED ITEMS, FILM AND VIDEO; PAPER AND STATIONERY

ITEMS, NAMELY, GREETING CARDS, MEMORANDUM BOARDS, MEMO PADS, PAPER POSTCARDS, STATIONERY, PENS, BUMPER STICKERS, CALENDARS AND DECORATIVE STICKERS AND DECALS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 12-10-2002; IN COMMERCE 12-10-2002.

OWNER OF U.S. REG. NO. 2,218,732.

SN 75-620,500, FILED 1-13-1999.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,840,471

Registered May 11, 2004

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2125 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 12-10-2002; IN COMMERCE 12-10-2002.

OWNER OF U.S. REG. NO. 2,218,732.

FOR: PAPER AND STATIONERY ITEMS, NAME-
LY GREETING CARDS, MEMORANDUM BOARDS,
STATIONERY AND PENS, IN CLASS 16 (U.S. CLS. 2,
5, 22, 23, 29, 37, 38 AND 50).

SN 75-610,933, FILED 12-23-1998.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 41

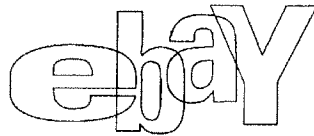
Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,840,569

Registered May 11, 2004

**SERVICE MARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

AND TELEVISION PROGRAMS FOR OTHERS, IN
CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 6-26-2003; IN COMMERCE 6-26-2003.

FOR: ENTERTAINMENT SERVICES, NAMELY
PROVIDING A RADIO PROGRAM IN THE FIELDS
OF HOBBIES, COLLECTIBLES, TRADING AND
AUCTIONS AND A TELEVISION PROGRAM IN
THE FIELDS OF HOBBIES, COLLECTIBLES, TRAD-
ING AND AUCTIONS; PRODUCTION OF RADIO

OWNER OF U.S. REG. NOS. 2,218,732, 2,367,895,
AND 2,367,932.

SN 76-022,899, FILED 4-10-2000.

LAURA KOVAISKY, EXAMINING ATTORNEY

Int. Cl.: 30

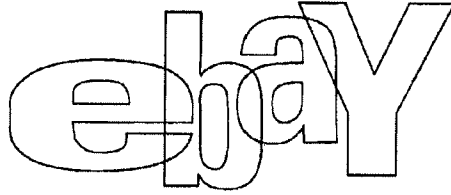
Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 2,840,738

Registered May 11, 2004

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 12-1-2003; IN COMMERCE 12-1-2003.

SN 76-233,209, FILED 3-30-2001.

FOR: CANDY AND DISPENSERS FOR CANDY,
SOLD AS A UNIT, IN CLASS 30 (U.S. CL. 46).

ASMAT KHAN, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 2,847,996

Registered June 1, 2004

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 12-1-2003; IN COMMERCE 12-1-2003.

SN 76-233,282, FILED 3-30-2001.

FOR: CANDY AND DISPENSERS FOR CANDY,
SOLD AS A UNIT, IN CLASS 30 (U.S. CL. 46).

ASMAT KHAN, EXAMINING ATTORNEY

Int. Cl.: 6

Prior U.S. Cls.: 2, 12, 13, 14, 23, 25 and 50

United States Patent and Trademark Office

Reg. No. 2,913,352

Registered Dec. 21, 2004

**TRADEMARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: BOXES OF METAL, IN CLASS 6 (U.S. CLS. 2,
12, 13, 14, 23, 25 AND 50).

SER. NO. 78-347,030, FILED 12-31-2003.

FIRST USE 6-23-2003; IN COMMERCE 6-23-2003.

CAROLYN GRAY, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

United States Patent and Trademark Office

Reg. No. 2,913,401

Registered Dec. 21, 2004

**SERVICE MARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FOR: PROVIDING SWEEPSTAKES, GAMES OF
CHANCE AND CONTESTS VIA THE INTERNET, IN
CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 1-0-1999; IN COMMERCE 1-0-1999.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-384,624, FILED 3-15-2004.

CAROLYN GRAY, EXAMINING ATTORNEY

Int. Cl.: 6

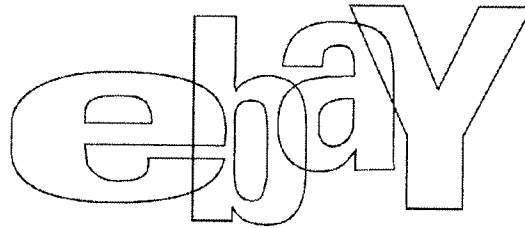
Prior U.S. Cls.: 2, 12, 13, 14, 23, 25 and 50

United States Patent and Trademark Office

Reg. No. 2,913,355

Registered Dec. 21, 2004

**TRADEMARK
PRINCIPAL REGISTER**



EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

THE MARK CONSISTS OF STYLIZED LOWER-
CASE LETTERS SPELLING THE WORD EBAY.
LETTERS ARE WHITE WITH BLACK OUTLINE.

FOR: BOXES OF METAL, IN CLASS 6 (U.S. CLS. 2,
12, 13, 14, 23, 25 AND 50).

SER. NO. 78-347,078, FILED 12-31-2003.

FIRST USE 6-23-2003; IN COMMERCE 6-23-2003.

CAROLYN GRAY, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,926,481

Registered Feb. 15, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

EBAY

EBAY INC. (DELAWARE CORPORATION)
2145 HAMILTON AVENUE
SAN JOSE, CA 95125

FIRST USE 6-26-2003; IN COMMERCE 6-26-2003.

FOR: ENTERTAINMENT SERVICES, NAMELY
PROVIDING A RADIO PROGRAM IN THE FIELDS
OF HOBBIES, COLLECTIBLES, TRADING AND
AUCTIONS, IN CLASS 41 (U.S. CLS. 100, 101 AND
107).

OWNER OF U.S. REG. NOS. 2,218,732, 2,367,895,
AND 2,367,932.

SN 76-022,893, FILED 4-10-2000.

LAURA KOVAISKY, EXAMINING ATTORNEY